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BYE: 201714

State of Oregon  
**Employment Appeals Board**  
875 Union St. N.E.  
Salem, OR 97311

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**EMPLOYMENT APPEALS BOARD DECISION**  
**2016-EAB-0991**

*Affirmed*  
*Late Request for Hearing Dismissed*

**PROCEDURAL HISTORY:** On May 20, 2016, the Oregon Employment Department (the Department) served notice of an administrative decision concluding claimant voluntarily left work without good cause (decision # 83655). On June 9, 2016, decision # 83655 became final without claimant having filed a timely request for hearing. On July 12, 2016, claimant filed a late request for hearing. On August 2, 2016, ALJ Kangas reviewed claimant's request and issued Hearing Decision 16-UI-64878, dismissing claimant's request for hearing subject to his right to renew the request by responding to an appellant questionnaire by August 16, 2016. On August 15, 2016, the Office of Administrative Hearings (OAH) received claimant's questionnaire response. On August 16, 2016, ALJ Kangas reviewed claimant's questionnaire and issued Hearing Decision 16-UI-65767, re-dismissing claimant's late request for hearing. On August 25, 2016, claimant filed an application for review with the Employment Appeals Board (EAB).

EAB considered claimant's argument when reaching this decision. In his argument, claimant again disputed the merits of decision # 83655, in which the Department concluded claimant had voluntarily left his job at Wyatt Enterprises, LLC without good cause. However, because claimant did not file a timely request for hearing on decision # 83655 and did not show good cause to extend the filing deadline, EAB does not have jurisdiction to review the merits of that decision. Our decision is, therefore, confined to the late request for hearing issue.

EAB reviewed the entire hearing record. On *de novo* review and pursuant to ORS 657.275(2), the hearing decision under review is **adopted**.

**DECISION:** Hearing Decision 16-UI-65767 is affirmed.

J. S. Cromwell and D. P. Hettle;  
Susan Rossiter, not participating.

**DATE of Service:** September 7, 2016

**NOTE:** You may appeal this decision by filing a Petition for Judicial Review with the Oregon Court of Appeals within 30 days of the date of service listed above. *See* ORS 657.282. For forms and information, you may write to the Oregon Court of Appeals, Records Section, 1163 State Street, Salem, Oregon 97310 or visit the Court of Appeals website at [courts.oregon.gov](http://courts.oregon.gov). Once on the website, use the ‘search’ function to search for ‘petition for judicial review employment appeals board’. A link to the forms and information will be among the search results.

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